

Committee Room,

Austin, Texas, May 5, 1923.

Hon. T. W. Davidson, President of the Senate:

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 72, A bill to be entitled "An Act to relieve certain schools and school districts of the State by validating certain school districts, and where such districts have undertaken to provide for the issuance of school house bonds or the levying of special taxes for any lawful school purposes, validating such bond issues and taxes; and declaring an emergency,"

Have had the same under consideration, and I am instructed by the committee to report the same back to the Senate with the recommendation that it do pass but be not printed in bill form but be printed in the Journal.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 5, 1923.

Hon. T. W. Davidson, President of the Senate:

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 87, A bill to be entitled "An Act to amend Sections 2 and 10 of House Bill No. 13 passed at the Regular Session of the Thirty-eighth Legislature, relating to the regulation, licensing and bonding of private employment agents so as to exempt from the operation of said bill those agents engaged in the business of securing employment for school teachers, and declaring an emergency."

Have had the same under consideration, and I am instructed by the committee to report same back to the Senate with the recommendation that it do pass and be not printed in bill form but be printed in the Journal.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 5, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 74, A bill to be entitled

"An Act abolishing special funds in the State Treasury set aside therein for special and particular purposes and placing all moneys that are in such funds in the general revenue fund, so that all moneys shall be paid out on general warrants on an equal basis, payable as to order of payment according to serial numbers; prescribing how such warrants shall be numbered serially; providing that this Act shall not apply to special funds created and provided for in the State Constitution which the Legislature cannot place or make applicable to the general revenue fund as herein provided for other special funds, nor to special funds consisting of taxes remitted or donated to counties, cities or localities; enacting the necessary provisions so that the general revenue fund will get the benefit of any such special funds now on hand or to be collected; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be printed in the Journal.

BAILEY, Chairman.

SIXTEENTH DAY.

Senate Chamber,

Austin, Texas,

Monday, May, 7, 1923.

The Senate met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Murphy.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Rogers.
Burkett.	Strong.
Cousins.	Stuart.
Darwin.	Thomas.
Doyle.	Turner.
Lewis.	Watts.
Fairchild.	Witt.
Floyd.	Wood.
Holbrook.	Woods.
McMillin.	

Absent—Excused.

Clark.	Ridgeway.
Davis.	Wirtz.
Parr.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.

(See Appendix for committee reports, petitions and memorials.)

Excused.

Senator Clark for Friday afternoon, Saturday and today, on account of important business, on motion of Senator Woods.

Senator Davis for today and tomorrow, on account of important business, on motion of Senator Burkett.

Senator Wirtz for Saturday and today, on account of important business on motion of Senator Burkett.

On motion of Senator Wood, all absent Senators were excused for today.

Bills on First Reading.

The following bills, introduced today, were each read first time and referred to appropriate committees as follows:

By Senator Strong:

S. B. No. 94, A bill to be entitled "An Act creating the Gladewater County Line Independent School District in Gregg and Upshur counties, Texas; defining its boundaries; providing for a board of trustees of said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the boards of trustees thereof, including power to extend its boundaries; providing that all bonds heretofore voted in said district shall remain in full force and effect against the territory of said district which voted same; providing for the assumption of said bonds by said district; providing for payment of its proportion of the bonded indebtedness of Union Grove Common School District; providing for appointment of Tax Assessor and Collector and Board of Equalization; and declaring an emergency."

To the Committee on Educational Affairs.

By Senator Baugh:

S. B. No. 95, A bill to be entitled "An Act to amend Chapter 10 of Title 48 of the Revised Civil Statutes of 1911 relating to the powers and duties of the State Board of Education with reference to the purchase of bonds for the account of the State Permanent School Fund by adding to said chapter immediately after Article 2740 a new article to be known as Article 2740-a and validating the purchases of bonds by the State Board of Education purchased on deferred payments of the purchase price as of the time of the payment of the first installment thereon and prescribing certain duties of the State Board of Education, the State Treasurer and the State Comptroller of Public Accounts with reference to allowing credits on certain interest coupons by reason of deferred payments of the purchase price thereof and limiting the provisions of this Act to bonds purchased subsequent to September 1, 1920; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

To the Committee on Educational Affairs.

By Senator Witt:

S. B. No. 96, A bill to be entitled "An Act to create a Committee on Economy to direct an inquiry into the organization, structure and the manner and methods of administration of the various executive agencies of the State Government, including all offices, boards, commissions, and institutions and to make recommendations to the 39th Legislature concerning same; providing for the appointment of members from the House and Senate; setting forth the powers of said committee; making an appropriation; and declaring an emergency."

To the Committee on State Affairs.

By Senator Bledsoe:

S. B. No. 97, A bill to be entitled "An Act creating and establishing the Lamb County Independent School District No. 1, of Lamb County; defining its boundaries; providing for election of board of trustees to manage and control the schools of said district; authorizing said district to issue bonds, and to assume a part of the outstanding indebtedness of the Littlefield Independent School District, and

of the Olton Independent School District; and investing said district with all the rights, powers, privileges and duties of independent school districts organized or existing under the General Laws of the State of Texas."

To the Committee on Educational Affairs.

By Senator Bledsoe:

S. B. No. 98, A bill to be entitled "An Act to amend Articles 4256 and 4257 of an Act entitled Guardian and Ward, Chapter 17, Title 64 of the Revised Civil Statutes of Texas, 1911, providing for the appointment and qualification of non-resident guardians of the estate of non-resident minors in the State of Texas; prescribing the procedure in such cases; fixing the amount of bond of such guardians; providing for the removal out of the State of Texas of personal property of such estates; providing for the sale of real property belonging to such estates and removal of the proceeds thereof; providing for the procedure in such sales, and validating the proceedings heretofore taken under Chapter 7, Title 64, Revised Civil Statutes of Texas, 1911, and as since amended, qualifying such guardians, and sales of real estate heretofore made by such non-resident guardians, made in accordance with the provisions of Chapters 11 and 12, Title 64, Revised Civil Statutes of Texas, 1911; and as since amended; and to repeal all laws in conflict herewith, and declaring an emergency."

To the Committee on Civil Jurisprudence.

H. B. No. 15.

Senator Wood called up the motion to reconsider the vote by which the Senate on Saturday ordered H. B. No. 15 printed in the Journal and to table the motion to reconsider.

Senator Bailey moved that further consideration of H. B. No. 15 be postponed indefinitely.

Yeas and nays were demanded, and the motion to postpone indefinitely prevailed by the following vote:

Yeas—14.

Bailey.	Holbrook.
Cousins.	McMillin.
Darwin.	Murphy.
Doyle.	Rice.
Floyd.	Strong.

14—Jour.

Stuart.
Watts.

Witt.
Woods.

Nays—8.

Baugh.
Bledsoe.
Bowers.
Fairchild.

Pollard.
Rogers.
Thomas.
Turner.

Present—Not Voting.

Burkett.

Absent—Excused.

Clark.
Lewis.
Parr.

Ridgeway.
Wirtz.

(Pair Recorded).

Senator Wood (present), who would vote nay; with Senator Davis (absent), who would vote yea.

Senator Floyd moved to reconsider the vote by which H. B. No. 15 was postponed indefinitely, and table the motion to reconsider.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—14.

Bailey.
Cousins.
Darwin.
Doyle.
Floyd.
Holbrook.
McMillin.

Murphy.
Rice.
Strong.
Stuart.
Watts.
Witt.
Woods.

Nays—9.

Baugh.
Bledsoe.
Bowers.
Burkett.
Fairchild.

Pollard.
Rogers.
Thomas.
Turner.

Absent—Excused.

Clark.
Lewis.
Parr.

Ridgeway.
Wirtz.

(Pair Recorded).

Senator Wood (present), who would vote nay; with Senator Davis (absent), who would vote yea.

H. B. No. 10—Passage to Third Reading.

(Special Order.)

The Chair laid before the Senate as pending business and special or-

der, on its passage to third reading, H. B. No. 10, levying a tax on inheritances, which was under consideration at the time the Senate adjourned on last Saturday.

Question—Shall the bill be passed to third reading?

Senator McMillin offered the following amendment to the bill:

Amend H. B. No. 10, page 2 by striking out all of line 20 down to and including the word "exceeding."

Senator Watts moved to table the amendment.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—20.

Bailey.	Murphy.
Baugh.	Pollard.
Bledsoe.	Ridgeway.
Bowers.	Rogers.
Burkett.	Stuart.
Cousins.	Thomas.
Darwin.	Turner.
Doyle.	Watts.
Fairchild.	Witt.
Floyd.	Wood.

Nays—4.

McMillin.	Strong.
Rice.	Woods.

Absent—Excused.

Clark.	Lewis.
Davis.	Parr.
Holbrook.	Wirtz.

Senator McMillin offered the following amendment to the bill:

Amend House Bill No. 10, by striking out all of Section 12, pages 6 and 7 and renumbering the succeeding sections to correspond.

On motion of Senator Stuart, the amendment was tabled.

Senator Woods offered the following amendment to the bill:

Amend House Bill No. 10 by striking out all of Section 18 of the bill and insert in lieu thereof the following:

"Section 18. That the tax due under this Act shall be due and payable one year after the decedent's death, but if it shall be proven to the satisfaction of the county judge and the Comptroller that payment of the tax within such period would impose undue hardship upon the estate, an extension of time for payment of all or a portion of said tax

may be granted not to exceed one year from the due date.

"The tax shall be paid by the State Treasurer through the Comptroller, and if not paid within one year from date of decedent's death, interest at the rate of one per cent per month from the expiration of one year from date of said death shall be added to said tax and collected as a penalty.

"If said tax and penalty are not paid within the said period of one year from decedent's death or the expiration of the time of extension, if extended, the Comptroller shall so advise the county attorney, or if there is no county attorney in the county, then the district attorney, who shall immediately file suit in the district court having jurisdiction to foreclose the tax lien as other tax liens are foreclosed."

(Senator Rogers in the Chair.)

Senator Stuart moved to table the amendment.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—18.

Baugh.	Holbrook.
Bledsoe.	Murphy.
Bowers.	Parr.
Burkett.	Ridgeway.
Cousins.	Rogers.
Darwin.	Stuart.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wood.

Nays—7.

Bailey.	Strong.
McMillin.	Thomas.
Pollard.	Woods.
Rice.	

Absent—Excused.

Clark.	Wirtz.
Davis.	Witt.
Lewis.	

Senator Rice offered the following amendment to the bill:

Amend H. B. No. 10, page 3, Section 5, lines 17 and 18, by striking out beginning with the word "two" the first time it occurs in line 17, down to and including the word "dollars" in line 18.

The amendment was adopted.

H. B. No. 10 was then passed to third reading.

H. B. No. 10 on Third Reading.

On motion of Senator Stuart the constitutional rule requiring bills to be read on three several days in each House was suspended and H. B. No. 10 was put upon its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Cousins.	Rogers.
Darwin.	Strong.
Doyle.	Stuart.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wood.
McMillin.	Woods.

Absent—Excused.

Clark.	Thomas.
Davis.	Wirtz.
Lewis.	Witt.

The Chair then laid H. B. No. 10 before the Senate on its third reading and final passage.

The bill was read third time.

Question—Shall the bill be finally passed?

Yeas and nays were demanded, and H. B. No. 10 was finally passed by the following vote:

Yeas—22.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Cousins.	Rogers.
Darwin.	Strong.
Doyle.	Stuart.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wood.

Nays—1.

McMillin.

Present—Not Voting.

Woods.

Absent—Excused.

Clark.	Thomas.
Davis.	Wirtz.
Lewis.	Witt.

S. C. R. No. 13—Motion to Rescind.

Senator Murphy moved to rescind the vote by which S. C. R. No. 13, relating to application of E. W. Cole for seat as Congressman at large from Texas, was adopted.

The roll was called and the motion to rescind was lost by the following vote, not receiving the necessary two-thirds majority:

Yeas—13.

Baugh.	Rice.
Bowers.	Rogers.
Darwin.	Strong.
Doyle.	Turner.
McMillin.	Watts.
Murphy.	Woods.
Parr.	

Nays—9.

Burkett.	Pollard.
Cousins.	Ridgeway.
Fairchild.	Thomas.
Floyd.	Wood.
Holbrook.	

Present—Not Voting.

Bledsoe.	Stuart.
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Absent—Excused.

Bailey.	Lewis.
Clark.	Wirtz.
Davis.	Witt.

H. B. No. 1 on Second Reading.

The Chair laid before the Senate as special order, on second reading,

H. B. No. 1, A bill to be entitled "An Act levying an occupation tax upon the right and privilege of producing oil in this State by taking same from the earth; defining the words 'person,' 'market value' and oil,' levying such tax against those engaged in such production; requiring reports to be made in order to ascertain the amount of said tax due the State; prescribing penalties for failure to comply with the Act requiring reports to be made, and requiring said tax to be paid within a certain time; making necessary provision for carrying into effect the Act and accomplishing its purpose; amending Article 7383, Chapter 2 of Title 126 of the Revised Civil Statutes of 1911, as amended; and declaring an emergency."

The bill was read second time.

On motion of Senator Cousins, the majority committee report carrying the following amendment was adopted:

Amend by changing the term "three per cent" to "two per cent" wherever it occurs in the bill.

Senator Strong offered the following amendment to the bill:

Amend H. B. No. 1, by striking out the figures "3%," in line 16, page 2, and add in lieu thereof the figures "2 ½ %."

Senator Burkett offered the following amendment:

Amend the pending amendment by striking out the figures "2 ½ %" and insert in lieu thereof the figures "1 ½ %."

Senator Bailey moved the previous question on the pending amendments and the passage of the bill to its third reading, and the main question was ordered.

The amendment to the amendment was lost.

Question then recurring on the amendment by Senator Strong.

Yeas and nays were demanded and the amendment was lost by the following vote:

Yeas—9.

Baugh.	Rogers.
Bledsoe.	Thomas.
Fairchild.	Turner.
McMillin.	Witt.
Rice.	

Nays—13.

Bailey.	Murphy.
Bowers.	Parr.
Burkett.	Ridgeway.
Darwin.	Stuart.
Doyle.	Watts.
Floyd.	Woods.
Holbrook.	

(Pairs Recorded.)

Senator Strong (present), who would vote yea; with Senator Wirtz (absent), who would vote nay.

Senator Wood (present), who would vote yea; with Senator Davis (absent), who would vote nay.

Senator Cousins (present), who would vote nay; with Senator Lewis (absent), who would vote yea.

Senator Pollard (present), who would vote yea; with Senator Clark (absent), who would vote nay.

H. B. No. 1 was then passed to third reading.

Senator Fairchild moved to reconsider the vote by which the bill was passed to third reading, and the motion was lost.

H. B. No. 1 on Third Reading.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days in each House, was suspended, and H. B. No. 1 was put upon its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Pollard.
Baugh.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Thomas.
Floyd.	Turner.
Holbrook.	Watts.
McMillin.	Witt.
Murphy.	Wood.
Parr.	Woods.

Nays—2.

Bledsoe.	Fairchild.
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Absent—Excused.

Clark.	Lewis.
Davis.	Wirtz.

The Chair then laid H. B. No. 1 before the Senate on its third reading and final passage.

The bill was read third time.

Question: Shall the bill be finally passed?

Recess.

On motion of Senator Thomas, the Senate at 12:05 p. m. recessed until 2:30 p. m. today.

Afternoon Session.

The Senate met at 2:30 p. m. and was called to order by Lieutenant Governor T. W. Davidson.

H. B. No. 1 on Final Passage.

(Special Order.)

The Chair laid before the Senate as pending business and special order,

on its final passage, H. B. No. 1, providing for the levy of a gross production tax on oil, the same having been read third time this morning, and having been under consideration at the time the Senate recessed.

Senator Stuart offered the following amendment to the bill:

Amend H. B. No. 1 by striking out all of said bill following the enacting clause and insert in lieu thereof the following:

"Section 1. Article 7383 of Chapter 2, Title 126, of the Revised Civil Statutes of the State of Texas of 1911, as amended is hereby amended so as to hereafter read as follows:

"Article 7383. Each and every individual, company, corporation or association, whether incorporated under the laws of this, or any other State or territory, or of the United States, or any foreign country which owns, controls, manages or leases any oil well within this State, shall make quarterly on the first days of January, April, July and October of each year, a report to the Comptroller of Public Accounts, under oath of the individual, or of the president, treasurer or superintendent of such company, corporation or association showing the total amount of oil produced during the quarter next preceding and the average market value thereof during said quarter. Said individuals, companies, corporations and associations at the time of making said report shall pay to the Treasurer of the State of Texas an occupation tax for the quarter beginning on said date, equal to two (2) per cent of the total amount of oil produced in this State of said individuals, companies, corporations or associations, respectively, during the quarter next preceding at the average market value thereof, as shown by said report. Each and every individual, company, corporation or association mentioned in this article shall cause to be made and to be kept and preserved a full and complete record of all oil produced during the time so engaged in its production, and said record shall be open to the inspection of all tax officers of this State.

"Sec. 2. If any provision of this Act should be held to be invalid, it is hereby declared to be the intention of the Legislature that all other portions of the Act shall remain in force and effect.

"Sec. 3. The fact that there is no adequate law in this State levying an occupation tax based upon the gross production of oil in the State of Texas, and the fact that the change in the law herein made should take effect as soon as possible in order that those engaged in oil production may as soon as possible be required to contribute to the support of the State Government to the extent herein provided for, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended and that this Act shall take effect and be in force from and after its passage, and said rule is hereby suspended and it is so enacted."

The roll was called and the amendment was lost by the following vote not receiving the necessary two-thirds majority:

Yeas—14.

Baugh.	Holbrook.
Bledsoe.	Parr.
Bowers.	Pollard.
Burkett.	Rice.
Cousins.	Ridgeway.
Darwin.	Stuart.
Doyle.	Woods.

Nays—13.

Bailey.	Strong.
Fairchild.	Thomas.
Floyd.	Turner.
Lewis.	Watts.
McMillin.	Witt.
Murphy.	Wood.
Rogers.	

Absent—Excused.

Clark.	Wirtz.
Davis.	

Question: Shall H. B. No. 1 be finally passed?

The roll was called and the bill was finally passed by the following vote:

Yeas—26.

Bailey.	Holbrook.
Baugh.	Lewis.
Bledsoe.	McMillin.
Bowers.	Murphy.
Burkett.	Parr.
Cousins.	Pollard.
Darwin.	Rice.
Doyle.	Ridgeway.
Fairchild.	Rogers.
Floyd.	Strong.

Thomas.
Stuart.
Watts.

Witt.
Wood.
Woods.

Nays—1.

Turner.

Absent—Excused.

Clark.
Davis.

Wirtz.

H. B. No. 10—Free Conference Committee Appointed.

The Chair (Lieutenant Governor T. W. Davidson) announced the following to serve on the part of the Senate on the Free Conference Committee on H. B. No. 10: Senators Stuart, Bailey, Bledsoe, Lewis and Pollard.

S. B. No. 53 on Second Reading.

On motion of Senator Floyd, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

S. B. No. 53, A bill to be entitled "An Act concerning the signing and execution of bonds and coupons of any county, city, political subdivision, defined district or school district of the State of Texas, validating all such bonds and coupons signed by the duly authorized officers who were such officers at the time of signing same, notwithstanding any changes in office subsequent to their execution and before their delivery; and declaring an emergency."

The Chair laid the bill before the Senate, it was read second time and passed to engrossment.

(President Pro Tem Murphy in the Chair.)

S. B. No. 53 on Third Reading.

On motion of Senator Floyd, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 53 was put upon its third reading and final passage by the following vote:

Yeas—26.

Baugh.
Bledsoe.
Bowers.

Burkett.
Cousins.
Darwin.

Doyle.
Fairchild.
Floyd.
Holbrook.
Lewis.
McMillin.
Murphy.
Parr.
Pollard.
Rice.

Ridgeway.
Rogers.
Strong.
Stuart.
Thomas.
Turner.
Watts.
Witt.
Wood.
Woods.

Present—Not Voting.

Bailey.

Absent—Excused.

Clark.
Davis.

Wirtz.

The Chair then laid S. B. No. 53 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—23.

Baugh.
Bledsoe.
Bowers.
Cousins.
Darwin.
Doyle.
Fairchild.
Floyd.
Holbrook.
Lewis.
McMillin.
Murphy.

Parr.
Pollard.
Rice.
Rogers.
Strong.
Stuart.
Thomas.
Turner.
Watts.
Witt.
Wood.

Present—Not Voting.

Bailey.
Burkett.

Woods.

Absent.

Ridgeway.

Absent—Excused.

Clark.
Davis.

Wirtz.

S. B. No. 51 on Third Reading.

The Chair laid before the Senate as regular order, on its third reading and final passage,

S. B. No. 51, A bill to be entitled "An Act providing that all fees remitted by county superintendents to the State Department of Education for teachers' examinations authorized in Section 7, Chapter 129, of the General Laws of the Regular Session of the Thirty-seventh Legislature, also all fees remitted to the State Depart-

ment of Education by conductors of summer normal institutions, and also any other fees collected by the State Department of Education for any purpose whatsoever, shall be paid to the State Treasurer, and providing that such fees shall be appropriated and expended by the Legislature from time to time, and declaring an emergency."

The bill was read third time and laid on the table subject to call.

S. B. No. 30 on Third Reading.

The Chair laid before the Senate as regular order, on its third reading and final passage,

S. B. No. 30, A bill to be entitled "An Act to amend Section 36, Acts of 1919, Second Called Session, Chapter 78, of the General Laws of the State of Texas, so as to provide adequate and proper punishment for the violation of said chapter, same being the Statewide Intoxicating Liquor Prohibition Law, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—13.

Bailey.	Murphy.
Burkett.	Parr.
Darwin.	Rice.
Doyle.	Rogers.
Fairchild.	Watts.
Holbrook.	Witt.
McMillin.	

Nays—9.

Baugh.	Strong.
Bledsoe.	Stuart.
Cousins.	Turner.
Lewis.	Woods.
Pollard.	

Absent.

Floyd.	Ridgeway.
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(Pairs Recorded.)

Senator Wood (present), who would vote nay; with Senator Davis (absent), who would vote yea.

Senator Thomas (present), who would vote nay; with Senator Wirtz (absent), who would vote yea.

Senator Bowers (present), who would vote nay; with Senator Clark (absent), who would vote yea.

S. B. No. 49 on Second Reading.

On motion of Senator Parr, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

S. B. No. 49, A bill to be entitled "An Act to amend Article 7407 of Chapter 4, Title 126, of the Revised Civil Statutes of Texas of 1911, relating to the creation of a State Tax Board; fixing the annual salary of the State Tax Commissioner; providing that the provisions hereof with respect to such salary shall be superior to those of any other Statute of this State conflicting therewith, and declaring an emergency."

The Chair laid the bill before the Senate, and it was read second time.

Question: Shall the bill be passed to engrossment?

Yeas and nays were demanded, and S. B. No. 49 failed on passage to engrossment by the following vote:

Yeas—8.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Ridgeway.
Darwin.	Watts.

Nays—14.

Bowers.	Rogers.
Doyle.	Strong.
Floyd.	Stuart.
Lewis.	Turner.
McMillin.	Witt.
Pollard.	Wood.
Rice.	Woods.

Present—Not Voting.

Cousins.	Thomas.
Holbrook.	

Absent.

Burkett.	Fairchild.
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Absent—Excused.

Clark.	Wirtz.
Davis.	

S. B. No. 39 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 39, A bill to be entitled "An Act amending Article 3093, of the Revised Statutes of the State of Texas of 1911, as amended by Section 1, of Chapter 60, of the Acts of

the Fourth Called Session of the Thirty-fifth Legislature, providing that the State Executive Committee of parties holding primary elections may prescribe qualifications for voters in such primaries, which shall be uniform throughout the State, and shall be enforced by all county executive committees of such party, and declaring an emergency."

The bill was read second time, and on motion of Senator Bowers, was laid on the table subject to call.

S. B. No. 40 on Engrossment.

Senator Bowers called up S. B. No. 40, relating to requiring political parties casting more than 10,000 votes to hold primary elections, which was read second time on May 4, and laid on the table subject to call.

The Chair laid the bill before the Senate.

Senator Wood moved to postpone further consideration of the bill indefinitely.

Yeas and nays were demanded, and the motion to postpone prevailed by the following vote:

Yeas—14.

Baugh.	Holbrook.
Bledsoe.	Pollard.
Burkett.	Rogers.
Cousins.	Strong.
Doyle.	Thomas.
Fairchild.	Witt.
Floyd.	Wood.

Nays—13.

Bailey.	Rice.
Bowers.	Ridgeway.
Darwin.	Stuart.
Lewis.	Turner.
McMillin.	Watts.
Murphy.	Woods.
Parr.	

Absent—Excused.

Clark.	Wirtz.
Davis.	

S. B. No. 61 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading.

S. B. No. 61, A bill to be entitled "An Act amending Articles 4521 and 4522 of the Revised Civil Statutes

relating to the State Board of Health and the State Health Department; providing for the State Board of Health to be composed of seven licensed physicians, which Board shall have power to appoint the State Health Officer; prescribing the salary of the State Health Officer and the respective authority of the State Health Officer and the State Board of Health; prescribing the compensation of the members of the State Board of Health, the State Health Officer and the heads of bureaus in the State Health Department; enacting provisions to improve the State Health Department; and declaring an emergency."

The bill was read second time and laid on the table subject to call.

S. B. No. 65 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading.

S. B. No. 65, A bill to be entitled "An Act amending the statutes relative to primary elections, by amending Article 3084 of the Revised Civil Statutes of the State of Texas of 1911, so as to authorize the nomination by parties casting not more than one hundred thousand votes for their nominee for Governor at the next preceeding general election, to nominate candidates from Texas for the United States Senate as is permitted by Articles 3159, 3160, 3161, 3162 and 3163 of the Revised Civil Statutes of the State of Texas of 1911.

The bill was read second time.

Senator Bowers offered the following amendment to the bill:

Amend S. B. No. 65 by striking out all below the enacting clause and inserting therein the following:

"Section 1. That Article 3084 of the Revised Civil Statutes of the State of Texas of 1911 be, and the same is hereby amended so as to hereafter read as follows:

"Article 3084. On primary election day in 1924 and every two years thereafter candidates for United States Senator, for Governor and for all other State officers to be chosen by vote of the entire State, and candidates for Congress and all district offices to be chosen by the vote of any district to be nominated by each

organized political party that cast 10,000 votes or more for Governor at the last general election, shall, together with all candidates for offices to be filled by the voters of the county, or a portion of a county, be nominated in primary elections by the qualified voters of such primary, all primary elections in this State to be held on the same day; provided that in the event there should occur a vacancy in the office of United States Senator, Congressmen or any other State or district office, where such vacancy is filled by an election of the people, then, in such event, it shall be competent and proper for the executive committee of any political party of the State or district in which the vacancy occurs to select its party nominee by convention. Said convention to be composed of delegates chosen from precinct to county conventions, and from delegates chosen from said county convention to the district or State convention, as the case may be. And when such conventions shall have been so organized, in accordance with the call of the executive committee, the nominee of such convention for filling the said vacancy shall be certified in all respects and particulars, as though he had been nominated at a primary election as now provided by law.

"Sec. 2. Articles 3159, 3160, 3161, 3162 and 3163 of the Revised Civil Statutes of the State of Texas of 1911 relating to nominations by parties of 10,000 and less than 100,000 votes are hereby expressly repealed.

"Sec. 3. The importance of this Act creates an emergency and an imperative necessity demanding the suspension of the constitutional rule requiring bills to be read on three several days in each House, and that this Act shall be in force and take effect from and after its passage, and said rule is hereby suspended, and it is so enacted."

Senator Wood moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—17.

Baugh.	Darwin.
Bledsoe.	Fairchild.
Burkett.	Floyd.
Cousins.	Holbrook.

Murphy.
Parr.
Pollard.
Rogers.
Strong.

Thomas.
Watts.
Witt.
Wood.

Nays—9.

Bailey.
Bowers.
Lewis.
McMillin.
Rice.

Ridgeway.
Stuart.
Turner.
Woods.

Absent.

Doyle.

Absent—Excused.

Clark.
Davis.

Wirtz.

S. B. No. 65 was then passed to engrossment.

S. B. No. 83 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 83, A bill to be entitled "An Act creating the Parks Independent School District in Stephens County, Texas; defining its boundaries; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws upon independent school districts and the boards of trustees thereof; providing that the management and control of the public free schools of said district shall be vested in a board of trustees composed of seven persons, and providing for the election and qualification of said trustees; providing for the appointment of a tax assessor and collector and board of equalization for said district; and declaring an emergency."

The bill was read second time, the committee report that it be not printed, was adopted and passed to engrossment.

S. B. No. 83 on Third Reading.

On motion of Senator Burkett, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 83 was put upon its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Absent—Excused.

Clark.	Wirtz.
Davis.	

The Chair then laid S. B. No. 83 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—27.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Absent—Excused.

Clark.	Wirtz.
Davis.	

S. B. No. 84 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 84, A bill to be entitled "An Act to create the Roscoe Independent School District in Nolan County, Texas, including the present Roscoe Independent School District; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas for school

purposes only; providing that the board of trustees of the present Roscoe Independent School District shall continue to act as such until their successors are elected in accordance with the provisions of this Act and the General Laws of Texas, and declaring an emergency."

The bill was read second time, the committee report that it be not printed was adopted, and passed to engrossment.

S. B. No. 84 on Third Reading.

On motion of Senator Burkett, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 84 was put upon its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Absent—Excused.

Clark.	Wirtz.
Davis.	

The Chair then laid S. B. No. 84 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—27.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Absent—Excused.

Clark.
Davis.

Wirtz.

S. B. No. 79 on Second Reading.

On motion of Senator Holbrook, by unanimous consent, the regular order was suspended and the Senate took up out its regular order,

S. B. No. 79, A bill to be entitled "An Act making an appropriation to be used in the erection of a monument in the city of Houston in memory of Sam Houston, who headed the military forces in Texas' struggle for freedom and who was President of the Republic of Texas; said appropriation to be used together with other funds for said purpose from private donations; providing the means, agencies and expenditure of said fund and erection of the monument; and declaring an emergency."

The Chair laid the bill before the Senate, and it was read second time.

Senators Holbrook and Murphy offered the following amendment to the bill:

Amend S. B. No. 79, as printed in the Senate Journal of May 5, 1923, page 256, by striking out the first paragraph of Section 2 and inserting in lieu thereof the following:

"Sec. 2. That said sum of twenty-five thousand dollars (\$25,000.00) shall be available for the purpose of erecting said monument only when as much as fifty thousand dollars (\$50,000.00) shall have been raised and expended from other sources for said purpose, making a total of not less than seventy-five thousand dollars (\$75,000.00) to be paid for said monument.

"The Governor is hereby authorized to appoint a committee of such numbers as he shall determine, which committee shall have the power to appoint a sub-committee of not less than five (5) members, which committee or sub-committee shall have submitted to it for its approval the design, plan, specifications, contract and location of the monument.

"All contracts shall be between the contractor on the one hand and the State of Texas by and through the committee appointed by the Governor or the sub-committee thereof, and the committee in charge of rais-

ing funds from other sources, on the other hand.

"The contract shall be signed by all members of the committee for the State or sub-committee and by the duly authorized persons in charge of the collection of funds from other sources.

"It is requested if practicable that there be inscribed and engraved on the base of the monument the names of all the officers and soldiers participating in the Battle of San Jacinto, and also a brief history of the campaign relating to the surrender of Santa Anna.

"It is also requested, if practicable, that the monument be constructed from minerals, stones or other materials from the State of Texas, and that the architecture, plan and design, sculptor and others employed, be native citizens of the State of Texas."

(Lieutenant Governor T. W. Davidson in the Chair.)

The amendment was adopted.

S. B. No. 79 was then passed to engrossment.

S. B. No. 79 on Third Reading.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 79 was put upon its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Absent—Excused.

Clark.
Davis.

Wirtz.

The Chair then laid S. B. No. 79 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—18.

Bailey.	Lewis.
Baugh.	McMillin.
Bowers.	Murphy.
Burkett.	Parr.
Cousins.	Pollard.
Doyle.	Strong.
Fairchild.	Thomas.
Floyd.	Turner.
Holbrook.	Watts.

Nays—7.

Bledsoe.	Rogers.
Darwin.	Witt.
Rice.	Wood.
Ridgeway.	

Absent.

Stuart.	Woods.
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Absent—Excused.

Clark.	Wirtz.
Davis.	

S. B. No. 94 on Second Reading.

On motion of Senator Strong, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 94 was put upon its second reading and passage to engrossment by the following vote:

Yeas—27.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Absent—Excused.

Clark.	Wirtz.
Davis.	

The Chair then laid before the Senate on its second reading and passage to engrossment,

S. B. No. 94, A bill to be entitled "An Act creating the Gladewater County Line Independent School Dis-

trict in Gregg and Upshur Counties, Texas; defining its boundaries; providing for a board of trustees of said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the boards of trustees thereof, including power to extend its boundaries; providing that all bonds heretofore voted in said district shall remain in full force and effect against the territory of said district which voted same; providing for payment of its proportion of the bonded indebtedness of Union Grove Common School District; providing for appointment of tax assessor and collector and board of equalization; and declaring an emergency."

The bill was read second time.

On motion of Senator Strong, the Senate rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report that the bill be not printed was adopted, and the bill was then passed to engrossment.

S. B. No. 94 on Third Reading.

On motion of Senator Strong, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 94 was put upon its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Absent—Excused.

Clark.	Wirtz.
Davis.	

The Chair then laid S. B. No. 94 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—26.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Burkett.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.

Present—Not Voting.

Pollard.

Absent—Excused.

Clark.	Wirtz.
Davis.	

S. B. No. 49—Vote Reconsidered.

Senator Parr moved to reconsider the vote by which S. B. No. 49 failed on passage to engrossment, and the motion was lost.

Senator Parr then moved to rescind the vote by which the bill failed on passage to engrossment.

Yeas and nays were demanded, and the motion to rescind prevailed by the following vote:

Yeas—17.

Bailey.	Parr.
Baugh.	Pollard.
Bledsoe.	Rice.
Bowers.	Ridgeway.
Cousins.	Stuart.
Darwin.	Watts.
Doyle.	Witt.
Holbrook.	Wood.
Murphy..	

Nays—8.

Fairchild.	Strong.
Floyd.	Thomas.
Lewis.	Turner.
Rogers.	Woods.

Absent.

Burkett.	McMillin.
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Absent—Excused.

Clark.	Wirtz.
Davis.	

Question: Shall S. B. No. 49 be passed to engrossment?

Senator Parr offered the following amendment to the bill:

Amend S. B. No. 49 by striking out "\$4,000.00" and insert in lieu thereof "\$3,600.00."

Yeas and nays were demanded, and the amendment was adopted by the following vote:

Yeas—19.

Bailey.	Parr.
Baugh.	Ridgeway.
Bledsoe.	Rogers.
Bowers.	Strong.
Cousins.	Stuart.
Darwin.	Turner.
Doyle.	Watts.
Floyd.	Witt.
Holbrook.	Wood.
Murphy.	

Nays—5.

Fairchild.	Thomas.
Lewis.	Woods.
Rice.	

Present—Not Voting.

Pollard.

Absent.

Burkett.	McMillin.
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Absent—Excused.

Clark.	Wirtz.
Davis.	

Question then recurred on the passage of the bill to engrossment.

Yeas and nays were demanded, and the bill was passed to engrossment by the following vote:

Yeas—14.

Bailey.	Holbrook.
Baugh.	Murphy.
Bledsoe.	Parr.
Bowers.	Ridgeway.
Cousins.	Stuart.
Darwin.	Watts.
Doyle.	Wood.

Nays—9.

Floyd.	Thomas.
Lewis.	Turner.
Rice.	Witt.
Rogers.	Woods.
Strong.	

Present—Not Voting.

Pollard.

Absent.

Burkett. McMillin.
Fairchild.

Absent—Excused.

Clark. Wirtz.
Davis.

H. B. No. 10—Conference Committee Changed.

The resignation of Senator Bailey as a member of the Free Conference Committee on H. B. No. 10 was accepted, and Senator Fairchild was appointed to fill the vacancy.

S. B. No. 90 on Second Reading.

On motion of Senator Baugh, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

S. B. No. 90, A bill to be entitled "An Act making available to the Board of Control any moneys which represent any unexpended balance of any appropriation made for support and maintenance of the American Legion Memorial Sanatorium, so that such moneys may be used to pay any necessary expense incident to the carrying out of the lease of said sanatorium to the Federal Government, and transferring patients to the institution, and taking care of other patients unable to be transferred, and declaring an emergency."

The Chair laid the bill before the Senate, it was read second time and passed to engrossment.

S. B. No. 91 on Second Reading.

On motion of Senator Lewis, by unanimous consent, the regular order was suspended and the Senate took up out of its regular order,

S. B. No. 91, A bill to be entitled "An Act creating the Texas Historical Board; defining its powers and duties; fixing the tenure of office of its members; and declaring an emergency."

The Chair laid the bill before the Senate, it was read second time and passed to engrossment.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, May 7, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate amendments to H. B. No. 10 and requests the appointment of a Free Conference Committee to adjust the differences between the two Houses. The following committee is appointed on part of the House: Bell, Mathes, Smith, Culp and Maxwell.

S. J. R. No. 3, Relating to the celebration of the Battle of San Jacinto.

H. B. No. 32, A bill to be entitled "An Act providing for the levy and collection of income taxes upon individuals, firms, co-partnerships, corporations, joint stock companies and associations residing or doing business within the State of Texas, and upon non-residents having income from property located in or business transacted within the State of Texas; fixing the rates of tax to be levied and collected from such income; providing the exemptions of amounts or parts of income, such exemptions to be excepted from said tax; providing for county income assessors and county income tax collectors; providing income assessors and county income tax reports and returns by individuals, companies, co-partnerships and associations; providing for the compensation of county income assessors and county income tax collectors; providing for the disposition of the revenues arising under the provisions of this Act; designating what shall constitute income, coming under the provisions of this Act, and allowing such reductions from gross income for the purpose of calculating net income; providing for the appointment of supervisors and assistants required for the proper administration hereof; making an appropriation for the purpose of carrying into effect the provisions of this Act, and declaring an emergency."

Respectfully submitted,

C. L. PHINNEY,
Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair (President Pro Tem Senator Chas. Murphy) had referred,

after its caption had been read, the following House bill:

H. B. No. 32, to the Committee on State Affairs.

Bills Signed.

The Chair (Lieutenant Governor T. W. Davidson) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following:

H. C. R. No. 8.
H. C. R. No. 5.
H. C. R. No. 7.
S. C. R. No. 13.
S. C. R. No. 16.

Adjournment.

On motion of Senator Woods, the Senate at 6:05 p. m. adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

Petitions and Memorials.

Senator Bailey offered and had read petitions from numerous citizens of Cuero and of DeWitt County, urging passage of such revenue measures as will give necessary financial support to public education in this State.

Upon motion of Senator Bailey, these petitions were referred to Committee on State Affairs.

Committee Reports.

Senate Chamber,

Austin, Texas, May 7, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 53 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Committee Room,

Austin, Texas, May 7, 1923.

Honorable T. W. Davidson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

S. B. No. 94, A bill to be entitled "An Act creating the Gladewater

County Line Independent School District in Gregg and Upshur Counties, Texas; defining its boundaries; providing for a board of trustees of said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the boards of trustees thereof, including power to extend its boundaries; providing that all bonds heretofore voted in said district shall remain in full force and effect, against the territory of said district which voted same; providing for the assumption of said bonds by said district; providing for payment of its proportion of the bonded indebtedness of Union Grove Common School District; providing for appointment of tax assessor and collector and board of equalization; and declaring an emergency."

Have had the same under consideration and recommend that the same do pass, and being a local bill that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 7, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 71, a bill to be entitled "An Act authorizing independent school districts to employ their own tax assessors and to have their taxes collected by the county tax collector without being required to have their assessments made at the same valuations that are used for State and county taxation, and repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass, but that S. C. S. B. No. 71 accompanying this report do pass in lieu thereof, and be printed in the Journal.

BAILEY, Chairman.

Committee Room,

Austin, Texas, May 7, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 73, A bill to be entitled

"An Act relative to State parks; creating a State Parks Board to investigate prospective park sites in the State and report to the Legislature with recommendations; authorizing the board to solicit and accept donations of land for State park purposes; making an appropriation for expenses of the board; providing that localities may pay expenses of the board in visiting such locality to investigate and inspect land for park purposes; and declaring an emergency.

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it be printed in the Journal and not otherwise.

WITT, Chairman.

Committee Room,

Austin, Texas, May 7, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 93, A bill to be entitled "An Act to authorize State of Texas to co-operate with other cotton producing states in the work of the Cotton States Commission; providing for the appointment of representation on said commission and other purposes."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it be printed in the Journal and not otherwise.

WITT, Chairman.

SEVENTEENTH DAY.

Senate Chamber,

Austin, Texas,

Tuesday, May 8, 1923.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem Charles Murphy.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Doyle.
Baugh.	Fairchild.
Bledsoe.	Floyd.
Bowers.	Holbrook.
Burkett.	McMillin.
Cousins.	Murphy.

Parr.	Thomas.
Pollard.	Turner.
Rice.	Watts.
Ridgeway.	Wirtz.
Rogers.	Witt.
Strong.	Wood.
Stuart.	Woods.

Absent.

Lewis.

Absent—Excused.

Clark.

Davis.

Darwin.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.

(See Appendix for committee reports, petitions and memorials.)

Excused.

Senator Darwin for today, on account of important business, on motion of Senator Murphy.

Bills on First Reading.

The following bills, introduced today, were each read first time and referred to appropriate committees as follows:

By Senator Fairchild:

S. B. No. 99, A bill to be entitled "An Act to amend Chapter 2, Title 65, Revised Statutes of 1911, by adding thereto Article 4352-a pertaining to the registration of bonds and prescribing the duties with reference thereto of the Comptroller, his chief clerk and bond clerk, and validating registration of bonds heretofore registered; and declaring an emergency."

To the Committee on Civil Jurisprudence.

By Senators Pollard and Burkett:

S. B. No. 100, A bill to be entitled "An Act providing for the supervision and regulation of the transportation of persons and property for the compensation or hire over any public highway by motor propelled vehicles; defining auto transportation companies as common carriers and providing for the supervision and regulation thereof by the Railroad Commission of Texas; providing for the is-